

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82723 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- EKANGARSARAI District- Nalanda

Satish Kumar @ Satis Kumar Son of Birendra Prasad @ Brind Prasad
Resident of Village - Barbigha, Police Station - Telhara, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ekangarsarai Police Station Case No. 149 of 2024, dated 08.08.2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.
3. The prosecution story, as per the First Information report, is that on the basis of secret information that petitioner along with co-accused Bhola Kumar have kept illicit liquor on the boring cabin of the co-accused Bhola Kumar, situated in the field, the police proceeded towards the place of occurrence and upon seeing the police party, two persons fled away. Upon inquiry, the name of the



petitioner and other co-accused person surfaced. Police recovered 48.675 liters of illicit liquor from the said boring.

4. Learned Counsel for the petitioner submits that petitioner has been made accused on the basis of secret information. He next submits that the boring, from where illicit liquor has been recovered, is situated in public place, accessible to all and sundry. He further submits that similarly situated co-accused Bhola Kumar @ Bhola Prasad has been granted anticipatory bail by this Court in Cr. Misc. No. 76895 of 2024.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the similarly situated co-accused has been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge V -cum- Special Judge (Excise), Biharahsarif,
Nalanda, in connection with Ekangarsarai Police Station
Case No. 149 of 2024, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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